



UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE A. LEMPRIERE,
a/k/a "Dutch," "Dutchmaster," "El Diablo,"

Defendant.

CASE NO. CR15-5055-RBL

~~[Proposed]~~

**FINAL ORDER OF
FORFEITURE**

THIS MATTER comes before the Court on motion of the United States for entry of a Final Order of Forfeiture based upon the guilty plea of Defendant ANDRE A. LEMPRIERE (hereinafter, "Defendant") to *Endangering Human Life While Manufacturing a Controlled Substance* in violation of 21 U.S.C. § 858 and 18 U.S.C. § 2, and to *Alien in Possession of a Firearm* in violation of 18 U.S.C. § 922(g)(5)(A); upon the Plea Agreement filed in this matter between Defendant and the United States, in which Defendant agreed to the forfeiture of the property listed below; and based upon the other files and records herein with respect to the following property (hereinafter sometimes referred to as the "Subject Property"):

///

1. Rock River Arms model LAR 15, caliber 5.56 mm rifle bearing serial number CM57130;
2. Zastava model PAP M70, caliber 7.62 mm rifle, bearing serial number ZAPA001561;
3. Springfield model M1A SOCOM II, caliber .308 rifle, bearing serial number 194859;
4. Benelli model Nova, 12 gauge shotgun, bearing serial number Z286706;
5. Remington Arms model 870 Express, 12 gauge shotgun, bearing serial number D192082A;
6. Mossberg model 500, 12 gauge shotgun, bearing serial number R630210;
7. Springfield model XD9 subcompact, 9 mm semiautomatic pistol, bearing serial number US809621;
8. Springfield Model XD45, .45 caliber semiautomatic pistol, bearing serial number US610176;
9. Taurus model 85 Ultralite, .38 caliber revolver, bearing serial number ZE46681;
10. Heckler and Koch model USP Expert, .45 caliber semiautomatic pistol, bearing serial number 25-047964;
11. Sig-Sauer model Mosquito, .22 caliber semiautomatic pistol, bearing serial number A035059; and
12. One Springfield model 1911 Champion, .45 caliber semiautomatic pistol, bearing serial number N339380.

On September 11, 2015, this Court entered a Preliminary Order of Forfeiture in the above-captioned case forfeiting the Defendant's interest in the Subject Property.

Pursuant to 21 U.S.C. § 853(n), the United States published notice of the Subject Property on www.forfeiture.gov for at least thirty (30) consecutive days, beginning on September 16, 2015 and ending on October 15, 2015. In the publication, the United States published notice of the Preliminary Order of Forfeiture and the intent of the United States to dispose of the Subject Property in accordance with the law. This notice further stated that any person, other than the Defendant, having or claiming a legal interest in the Subject Property was required to file a petition with the Court within sixty (60) days of the first date

1 of publication of notice, setting forth the nature of the petitioner's right, title, and interest in
2 the Subject Property.

3 Following notice by the Government, Third-Party Petitioner Diane Baker filed a claim
4 to contest forfeiture of the Subject Property on October 22, 2015. On February 1, 2016, the
5 United States and the Petitioner filed a Stipulated Agreement to Withdrawal of Petitioner's
6 Claim and to Forfeiture, in which the Petitioner agreed to withdraw her claim and to
7 forfeiture of the Subject Property. The Court entered an Order approving the Stipulated
8 Agreement to Withdrawal of Petitioner's Claim and to Forfeiture on February 4, 2016.

9 All persons and entities believed to have an interest in the above-listed Subject
10 Property that is subject to forfeiture were given proper notice of the intended forfeiture. No
11 further petitioners or claimants have come forth to assert an interest in the Subject Property
12 and the time for doing so has expired.

13 IT IS ORDERED, ADJUDGED, and DECREED that, pursuant to 18 U.S.C. § 924(d)
14 and 18 U.S.C. § 2461(c), the following property is fully and finally forfeited to the United
15 States in its entirety:

- 16 1. Rock River Arms model LAR 15, caliber 5.56 mm rifle bearing serial number
17 CM57130;
- 18 2. Zastava model PAP M70, caliber 7.62 mm rifle, bearing serial number
19 ZAPA001561;
- 20 3. Springfield model M1A SOCOM II, caliber .308 rifle, bearing serial number
21 194859;
- 22 4. Benelli model Nova, 12 gauge shotgun, bearing serial number Z286706;
- 23 5. Remington Arms model 870 Express, 12 gauge shotgun, bearing serial number
24 D192082A;
- 25 6. Mossberg model 500, 12 gauge shotgun, bearing serial number R630210;
- 26 7. Springfield model XD9 subcompact, 9 mm semiautomatic pistol, bearing serial
27 number US809621;
- 28 8. Springfield Model XD45, .45 caliber semiautomatic pistol, bearing serial
number US610176;

9. Taurus model 85 Ultralite, .38 caliber revolver, bearing serial number ZE46681;
10. Heckler and Koch model USP Expert, .45 caliber semiautomatic pistol, bearing serial number 25-047964;
11. Sig-Sauer model Mosquito, .22 caliber semiautomatic pistol, bearing serial number A035059; and
12. One Springfield model 1911 Champion, .45 caliber semiautomatic pistol, bearing serial number N339380.

IT IS FURTHER ORDERED, ADJUDGED and DECREED no right, title, or interest in the Subject Property shall exist in any other party.

The United States Department of Justice and/or its agent is authorized to dispose of the Subject Property in accordance with the law.

The Clerk of the Court is hereby directed to send a copy of this Final Order of Forfeiture to all counsel of record.

DATED this 12th day of March, 2016.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Matthew H. Thomas
MATTHEW H. THOMAS
Assistant United States Attorney
United States Attorney's Office
1201 Pacific Avenue, Suite 700
Tacoma, Washington 98402-4383
Telephone: (253) 428-3800
Fax: (253) 428-3826